

Jul 08, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS MICHAEL HOWARD,

Defendant.

No. 2:25-CR-00102-RLP

STIPULATED PROTECTIVE ORDER
REGARDING IDENTIFICATION OF
MINOR VICTIMS PURSUANT TO
18 U.S.C. § 3509

ORDER GRANTING
GOVERNMENT'S MOTION TO
EXPEDITE

BEFORE THE COURT are the Stipulation for Protective Order Regarding Identification of Minor Victims pursuant to 18 U.S.C. § 3509, ECF No. 37, and the Government's related Motion to Expedite, ECF No. 38. The Court has reviewed the file and is fully advised. GOOD CAUSE HAVING BEEN SHOWN, the Court hereby ORDERS that the Protective Order Regarding Identification of Minor Victims pursuant to 18 U.S.C. § 3509 and related Motion to Expedite are GRANTED.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The Stipulation for a Protective Order Regarding Identification of Minor
3 Victims pursuant to 18 U.S.C. § 3509, **ECF No. 37**, is **GRANTED**.

4 2. The Government's Motion to Expedite, **ECF No. 38**, is **GRANTED**.

5 3. The privacy protection measures mandated by 18 U.S.C. § 3509(d), which
6 apply when a case involves a person under the age of eighteen years who is alleged to be a
7 victim of a crime of sexual exploitation, or a witness to a crime committed against another
8 person, apply to this case.

9 4. All persons acting in this case in a capacity described in 18 U.S.C. §
10 3509(d)(1)(B), shall:

- 11 a. Keep all documents that disclose the names, identities, or any other
12 information concerning minors in a secure place to which no person who does
13 not have reason to know their contents has access;
- 14 b. Disclose such documents or the information in them that concerns minors
15 only to persons who, by reason of their participation in the proceeding, have
16 reason to know such information;
- 17 c. Not permit Defendant himself to review discovery outside the presence of
18 defense counsel or a defense investigator;
- 19 d. Not permit Defendant to keep discovery in his own possession outside the
20 presence of defense counsel or a defense investigator; and

1 e. Not permit Defendant to keep, copy, or record the identities of any minor or
2 victim identified in discovery in this case.

3 5. All papers to be filed in Court that disclose the names or any other
4 information identifying or concerning minors shall be filed under seal without necessity of
5 obtaining a Court order, and that the person who makes the filing shall submit to the Clerk
6 of the Court:

7 a. The complete paper to be kept under seal; and

8 b. The paper with the portions of it that disclose the names or other information
9 identifying or concerning children redacted, to be placed in the public record.

10 6. The parties and the witnesses shall not disclose minors' identities during any
11 proceedings connected with this case. The parties and witnesses will refer to alleged minor
12 victims only by using agreed-upon initials or pseudonyms (e.g., "Minor Victim 1"), rather
13 than their bona fide names, in motions practice, opening statements, during the
14 presentation of evidence, in closing arguments, and during sentencing.

15 7. The government may produce discovery to the defense that discloses the
16 identity and images of alleged minor victims in this case, in order to comply with the
17 government's discovery obligations. Defendant, the defense team, Defendant's attorneys
18 and investigators, and all of their externs, employees, and/or staff members, shall keep this
19 information confidential as set forth above.

20 //

8. This ORDER shall apply to any attorneys who subsequently become counsel of record, without the need to renew or alter the ORDER.

9. This ORDER shall apply to the personal identifying information and images of any minors who are identified over the course of the case, whether or not such minors are known to the government and/or Defendant at the time the ORDER is entered by the Court.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this Order and furnish copies to counsel.

DATED July 8, 2025


REBECCA L. PENNELL
DISTRICT COURT JUDGE